

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64477 of 2025

Arising Out of PS. Case No.-821 Year-2024 Thana- SONEPUR District- Saran

Deepak Rai S/O Chandeshwar Rai R/O - Sabalpur, Chaharam, P.S.- Sonapur,
Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Adv.

Mr. Vikramdit, Adv.

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sonapur P.S. Case No. 821 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, the police has recovered
total 50 liters from the bank of river.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the
present case. He further submits that nothing incriminating



has been recovered from the conscious possession of the petitioner rather the alleged illicit liquor has been recovered from the bank of river which is an open place, accessible to one and all. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the local people. The petitioner has no concern either with the seized liquor or the place of occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has altogether eight criminal antecedents and is languishing in judicial custody since 03.08.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Dilip Rai has been granted bail by this Court vide order dated 12.08.2025 passed in Cr. Misc. No. 54048 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner bears altogether eight criminal antecedents.

7. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonapur P.S. Case No. 821 of 2024.

(Rudra Prakash Mishra, J)

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